



U.S. Department of Justice
United States Attorney
Eastern District of New York

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September 5, 2007

BY ELECTRONIC COURT FILING

Honorable Carol B. Amon
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Kamburowski v. Kidd, No. 05-CV-0953 (CBA/RLM)

Dear Judge Amon:

Kindly take notice of my appearance as new counsel for the defendants in the above-referenced action, in place of former Assistant United States Attorney Steven J. Kim, who recently left this Office. With the consent of counsel for the plaintiffs, I respectfully request a second extension of the briefing schedule previously set by this Court for the service and filing of defendants' motion for summary judgment. By order entered on July 16, 2007 (docket no. 32), this Court granted the July 11 application filed by Mr. Kim, with the consent of the plaintiffs, seeking a sixty-day extension of the briefing schedule which the Court had originally set on May 25, 2007.

Regrettably, Mr. Kim's departure from this Office and the concomitant transfer of the case have necessitated a second extension of the briefing schedule. Because of the considerable press of other business, exacerbated by this Office's current staffing shortages and its impending move to a new location, it has taken longer than expected for me to "read into" this case, and I will unfortunately not be able to complete the government's motion papers in time to file by the current deadline of September 11, 2007. After consulting with Mary Elizabeth Delli-Pizzi, Esq., counsel for the plaintiffs, I respectfully propose the following revised schedule for the briefing of the defendants' motion for summary judgment:

Defendants' brief and accompanying motion papers: filed by October 26, 2007

Plaintiffs' brief and papers in opposition: filed by November 26, 2007

Defendants' reply papers in support of motion: filed by December 3, 2007

Oral argument: adjourned from November 9, 2007, to a date after December 3 that is convenient to the Court.

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This proposal amounts to roughly a 45-day extension of the current briefing schedule and is the second extension requested by the defendants in this action. Ms. Delli-Pizzi, as counsel for plaintiffs, has authorized me to represent to the Court that plaintiffs do not object to, and indeed concur in, the revised briefing schedule proposed by this letter.

I sincerely apologize for any inconvenience engendered by the necessity of a second request for extension and appreciate your Honor's time and attention to this matter.

Respectfully submitted,

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